

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ANIMAL SCIENCE PRODUCTS, INC., et al.

Plaintiffs,

v.

CHINA NATIONAL METALS & MINERALS
IMPORT & EXPORT CORPORATION, et al.,

Defendants.

Civil Action No. 05-4376 (GEB) (ES)

(Document filed electronically)

DECLARATION OF SIJIE ZHAO

I, Sijie Zhao, hereby state as follows:

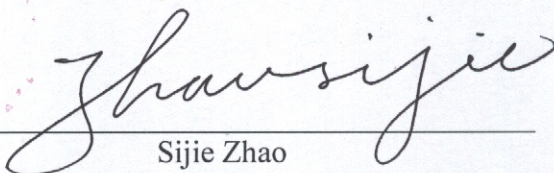
1. My name is Sijie Zhao and I previously submitted a declaration to this Court dated February 2, 2008. D.I. 35-5.
2. As I explained in my previous declaration, I am the Manager of the President Office at Liaoning Jiayi Metals & Minerals Co., Ltd. ("Jiayi"). D.I. 35-5. at ¶ 2. I have been with Jiayi since its incorporation in June 2001. *Id.*
3. As I explained in my previous declaration, as manager of the President Office at Jiayi, I am responsible for administrative matters of the company, export license management and legal counseling. D.I. 35-5 at ¶ 3.
4. I am providing the information in this declaration based on my personal knowledge concerning Jiayi, the lawsuit captioned *Animal Science Products, Inc. v. China National Metals & Minerals Import & Export Corp. et al.*, Case No. 05-cv-04376-HAA-ES, pending the United States District Court for the District of New Jersey, and in support of

Jiayi's motion to dismiss the Amended Complaint for lack of subject matter jurisdiction and/or abstention.

5. Jiayi is a trader of magnesite, including various grades of Dead-Burned Magnesite ("DBM") and Caustic-Calcinated Magnesite ("CCM"). As a trader, Jiayi sells magnesite to brokers (such as Possehl, Inc.) and others, which then sell the magnesite to others, including the end user.
6. Jiayi obtains the magnesite it sells by purchasing magnesite from local producers in China.
7. Jiayi does not export magnesite from China and does not import magnesite into the United States. For every sale made by Jiayi, the magnesite is delivered to the customer, whether a broker (e.g., Possehl) or an end user, at some location in China. Jiayi is unaware of the ultimate location where the magnesite may be delivered or used, and is not involved in the delivery of the magnesite to that final location.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: June 26, 2009
Beijing, China


Sijie Zhao